

**CERTIFICATE OF FILING BY MAIL**

I certify that this Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated June 24, 2005, copy of the Notification of Missing Requirements, Declaration, Check No. 106112 in the amount of \$130, and Authorization to Charge Deposit Account (in duplicate) for any deficiencies are being deposited with the United States Postal Service in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, as first class mail, postage prepaid, on this 5<sup>th</sup> day of July, 2005.



Richard M. Mescher  
PORTER, WRIGHT, MORRIS & ARTHUR LLP  
41 South High Street  
Columbus, Ohio 43215-6194

Re: Application No. 10/521,399



JC10 Rec'd PTO 0.8 JUL 2005

PORTER WRIGHT MORRIS & ARTHUR LLP

Attorneys & Counselors at Law

10/521399

Richard M. Mescher  
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July 5, 2005

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No.: 10/521,399  
Inventor: Günther Orschulik  
Filed: January 14, 2005  
For: PLANTER  
Attorney Docket No.: 4000841-154775

Dear Sir:

We have enclosed a Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated June 24, 2005, including copy of the Notification of Missing Requirements, Declaration of the inventor, Check No. 106112 in the amount of \$130 in payment of the surcharge, Authorization to Charge Deposit Account (in duplicate) for any deficiencies, and Certificate of Filing by Mail. We also have enclosed our postcard receipt, which we ask that you acknowledge and return to us.

Very truly yours,

Richard M. Mescher

RMM:dmw  
Enclosures



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/10/521,399

Inventor: Günther Orschulik

Filed: January 14, 2005

For: PLANTER

Attorney Docket No.: 4000841-154775

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICIAL COMMUNICATION**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed June 24, 2005, applicant encloses a Declaration and Power of Attorney signed by the applicant, Check No. 106112 in the amount of \$130 in payment of the surcharge. We are also enclosing an Authorization Re Deposit Account (in duplicate) in payment of any deficiencies in the fees.

Applicant respectfully submits that the filing of the Declaration and payment of the surcharge satisfies the remaining filing requirements relating to this application. Applicant therefore requests that this application proceed to examination.

07/15/2005 MKAYPAGH 00000084 10521399

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Respectfully submitted,

Dated: July 5, 2005

By:   
Richard M. Mescher  
Reg. No. 38,242  
PORTER, WRIGHT, MORRIS & ARTHUR LLP  
41 South High Street  
Columbus, Ohio 43215-6194  
Phone: (614) 227-2026



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,399	Gunter Orschulik	40000841-154775
INTERNATIONAL APPLICATION NO.		
PCT/EP03/06428		
I.A. FILING DATE		PRIORITY DATE
06/18/2003		07/16/2002
CONFIRMATION NO. 2200 371 FORMALITIES LETTER		
 *OC000000016373315*		

Date Mailed: 06/24/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/14/2005
- Copy of the International Search Report filed on 01/14/2005
- Preliminary Amendments filed on 01/14/2005
- Information Disclosure Statements filed on 01/14/2005
- Request for Immediate Examination filed on 01/14/2005
- U.S. Basic National Fees filed on 01/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN A REFUND/REJECTION.**

**DOCKETED**

*6/30/05 cm*

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

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Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,399	PCT/EP03/06428	40000841-154775

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Inventor: Günther Orschulik

For: PLANTER

Application No.: 10/521,399

Filed: June 14, 2005

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AUTHORIZATION RE DEPOSIT ACCOUNT**

Sir:

Please charge any deficiency in the fees for the above-referenced application to our  
Deposit Account No. 16-2326.

A duplicate copy of this paper is provided.

Respectfully submitted,

Dated: July 5, 2005

By:   
Richard M. Mescher  
Porter, Wright, Morris & Arthur, LLP  
41 South High Street  
Columbus, OH 43215  
(614) 227-2026